

FILED

2010 APR -5 PM 3:11  
UNITED STATES DISTRICT COURT  
For The  
WESTERN DISTRICT OF PENNSYLVANIA  
U.S. DISTRICT COURT

U.S.A. vs. Daryl Kyles

Docket No. 03-00191-001

Supplemental Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Daryl Kyles, who was placed on supervision by the Honorable Gary L. Lancaster sitting in the Court at Pittsburgh, Pennsylvania, on the 23rd day of April 2004, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$200 special assessment.
- Shall participate in urine testing and drug treatment as directed by the probation officer.
- Shall submit to DNA testing.

04-23-04: Possession of a Firearm by a Convicted Felon (2 counts); 58 months' imprisonment; 3 years' supervised release.

10-19-07: Released to supervision; Currently supervised by U.S. Probation Officer Donald A. Covington.

07-02-08: Order, Judge Lancaster, home detention for a period of 60 days for failure to attend drug treatment and positive drug tests.

05-09-09: Bench warrant issued and lodged as a detainer at the State of West Virginia Regional Jail.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS  
FOLLOWS:**

**The defendant shall not commit another federal, state, or local crime.**

Your petitioner reports that in the United States District Court, Northern District of West Virginia, on July 30, 2009, at Case Number 5:09CR28-02, the supervised releasee pled guilty to Aiding and Abetting Interstate Travel in Aid of Racketeering. On September 17, 2009, the supervised releasee was sentenced to a term of imprisonment of 46 months to be followed by a supervised release term of 3 years. The offense occurred on or about May 1, 2009, which was during the supervised release term.

Your petitioner reports that in the Allegheny County Court of Common Please, on March 3, 2010, at Docket No. CP-02-CR-0011893-2008, the supervised releasee pled guilty to Possession With Intent to Deliver a Controlled Substance, Possession of a Controlled Substance(2 counts), and Possession of Marijuana. The supervised releasee was sentenced to a term of imprisonment of 2 to 4 years at the State Correctional Institution, Camp Hill. The sentence was ordered to run concurrent with the Federal sentence. The offense occurred on or about May 22, 2008, which was during the supervised release term.

Your petitioner reports that in the Allegheny County Court of Common Pleas, on March 3, 2010, at Docket No. CP-02-CR-0010267-2008, the supervised releasee pled guilty to Possession of a Controlled Substance. The supervised releasee was sentenced to a probation term of 1 year to commence on July 1, 2010. The offense occurred on or about June 16, 2008, which was during the supervised release term.

U.S.A. v. Daryl Kyles

Your petitioner reports that in the Allegheny County Court of Common Pleas, on March 3, 2010, at Docket No. CP-02-CR-0017854-2009, the supervised releasee pled guilty to Possession With Intent to Deliver a Controlled Substance(2 counts), and Possession of a Controlled Substance. The supervised releasee was sentenced to a term of imprisonment of 2 to 4 years at the State Correctional Institution, Camp Hill. The sentence was ordered to run concurrent with the Federal sentence. The offense occurred on or about July 9, 2008, which was during the supervised release term.

**The defendant shall not leave the judicial district without permission of the Court or the probation office.**

Your petitioner reports that the supervised releasee was arrested in Ohio County, West Virginia, on May 1, 2009. The supervised releasee did not have permission to travel to West Virginia on May 1, 2009.

**The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substances or any paraphernalia related to any controlled substance, except as prescribed by a physician.**

A urine sample taken on February 18, 2009, was positive for marijuana.

**PRAYING THAT THE COURT WILL ORDER** that the afore-cited alleged violations of supervision be incorporated as part of the Petition Action previously made part of the records in this case on May 9, 2009, and that U.S. Marshall's transport the supervised releasee to Federal Court, 3rd Floor, Courtroom No 3A, Pittsburgh, Pennsylvania on APRIL 16, 2010 at 11:30 AM where he will appear with legal counsel to show cause why supervision should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed  
on \_\_\_\_\_

ORDER OF COURT  
Considered and ordered this 6 <sup>a</sup> day of  
April, 20 10 and ordered filed and made  
a part of the records in the above case.

J. H. Bennett  
U.S. District Judge

Donald A. Covington  
Donald A. Covington  
U.S. Probation Officer  
Roselyn Gerson  
Roselyn Gerson  
Supervising U.S. Probation Officer

Place: Pittsburgh, PA

CC: ALL COUNSEL  
US MARSHAL  
US PROBATION